

Remarks

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendment, claims 13-36 are pending in the application, with 13 being the sole independent claim. Claims 1-12 and 37-48 are cancelled without prejudice to or disclaimer of the subject matter therein. In response to the election of species, claims 14-24, 30-32, 35 and 36 are withdrawn from consideration pending the allowance of generic claim 13. These changes are believed to introduce no new matter, and their entry is respectfully requested.

Based on the above amendment and the following remarks, Applicants respectfully request that the Examiner reconsider all outstanding objections and rejections and that they be withdrawn.

Objection to the Specification

The Examiner objected to various informalities in the specification that have been addressed in the amendments to the specification made above. In order to comply with 37 C.F.R. §1.57(c), as permitted by and in accordance with 37 C.F.R. §1.57(g), Applicants have provided the now available U.S. publication numbers for all prior and concurrently filed, commonly owned U.S. patent applications that were previously incorporated by reference into the specification.

Rejections under 35 U.S.C. § 112.

Claims 13, 25-29, 33, 34, 47 and 48 are rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the enablement requirement. The Examiner contends that the claims contain subject matter that was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or which it is most nearly connected, to make and/or use the invention. Particularly, the Examiner states

that the specification “generically [sets] forth components (i.e., manual pumps, electronic pumps, power sources, electrical connectors, switches, logic control units, monitoring systems, displays, indicator lights, and solar cells) that cooperate together to form a complete operable device or adaptor 12, while negating any particulars as to how one of ordinary skill in the art would be enabled to make the device.” Office Action, p. 2. The Examiner further alleges that the “Applicant has essentially disclosed a cookbook-type listing of components absent the details on putting the components together to have an operable device. [Noting that the specification is particularly indefinite] as to [how] the structure and details of the logic control unit 46 electrically control the control valves, lights, displays, and further operate as the necessary driver and control circuitry for pumps ..., and operate as a fuel monitoring system.” Office Action, pp. 2-3.

Applicants respectfully disagree with the Examiner’s contention that the specification does not enable a person skilled in the art to which it pertains to make and/or use Applicants’ invention. Applicants invention comprises a method and apparatus for filling a fuel container. Various aspects and embodiments of the filling system are shown and fully described with reference to FIGS. 1-5 and 9, with embodiments comprising an adapter 22 shown and fully described with reference to FIGS. 6-8, 10 and 11. Each of the figures and its associated description provides enough detail for a person skilled in the art to make and use the particular embodiment of the invention. For example, with reference to the embodiment of FIG. 6, adapter 22 connects fuel cartridge 12 to fuel chamber 14 of electronic device 18 via adapter input connector 24 and adapter output connector 26. See Specification p. 11, line 8 – p. 12, line 22. Particularly, connector arrangements for connecting the adaptor input to the fuel cartridge and the adapter output to the electronic device are discussed in the

specification, *inter alia*, on page 12, lines 8-22 and in US 2005/0022883 (formerly referred to as Ser. No. 10/629,006), which is incorporated by reference on page 9, lines 12-14 of the specification and provides any additional support needed to enable these embodiments of the present invention in compliance with 37 C.F.R. §1.57(c).

With reference to how to make and use a logic control unit 46 for use as a drive and control circuit for a pump or to operate a fuel monitoring system, use of such a logic control system is discussed on page 13, lines 22-28 with reference to FIG. 7 and disclosure of a fuel monitoring system is discussed on page 16, line 7- page 17, line 13 with reference to FIGS. 7-11. Further in compliance with 37 C.F.R. §1.57(c), incorporated by reference on page 16, lines 2-6 is US 2005/0118468 entitled “Fuel Cell Supply Including Information Storage Device and Control System” and incorporated by reference on page 16, line 30 - page 17, line 2 is US 2005/0115313 entitled “Fuel Gauge for Fuel Cartridges” that provide any additional support needed to enable embodiments of the present invention that include logic control unit 46 and/or fuel gauge 48. Accordingly, Applicants specification sufficiently describes how to make and use the present invention so as to be enabling to a person skilled in the art to which it pertains. As such, Applicants respectfully request that the rejection of claims 13, 25-29, 33, and 34 be withdrawn. It should be noted that claims 47 and 48 have been canceled as being dependent on a previously withdrawn claim.

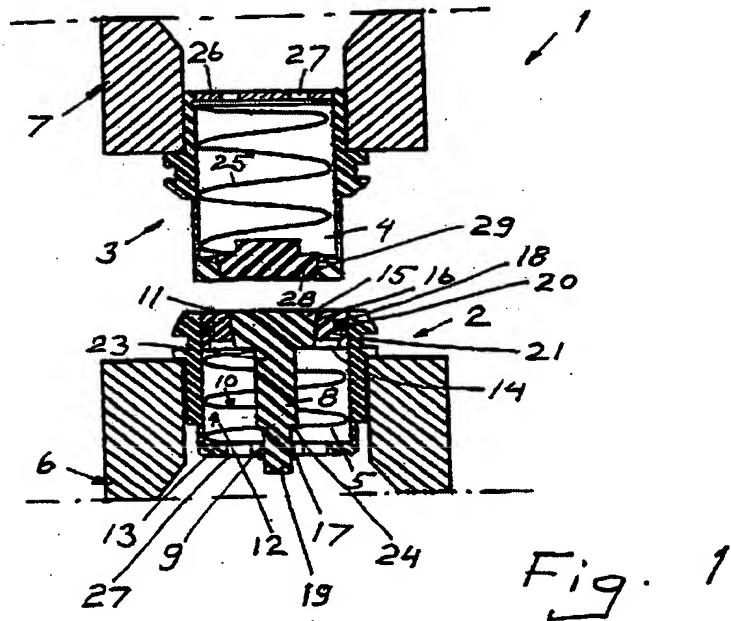
Rejections under 35 U.S.C. § 102

Claims 13 and 25-27 are rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,708,740 to Wessberg. The Examiner states that the Wessberg reference discloses “a system for filling a vehicle (i.e. an electromechanical type device)

comprising input and output connectors (7,6) with associated fuel vessels and valve components (2,3) associated therewith.” Office Action, p. 4.

Applicants respectfully traverse the Examiner’s rejection. Claim 13 recites *an adaptor* having an input connector and an output connector for connecting a first and second fuel supply. With reference to FIG. 1 of the Wessberg patent, the “tanking up valve” disclosed includes “a refilling valve 1 comprise[d] of a female part 2, which is *mounted* [on an] equipment tank 6 and a male part 3, which is *mounted* in a refilling outfit (7) [i.e., a fuel supply] before [refilling] starts with each of houses 4 and 5.”

Wessberg, col. 2, line 58 – col. 3, line 2 (emphasis added).



Accordingly, the “tanking up valve” (item 1) disclosed in Wessberg is not an adaptor between a first and second fuel supply but instead is a two-component valve type structure where one valve component (item 2) is mounted in the equipment tank (item 6)

and the other valve component (item 3) is mounted in a refilling outfit (7) so that fuel flows therebetween when the valve components are connected. No adaptor that connects itself to a first fuel supply and itself to a second fuel supply, as recited in claim 13, is taught or suggested by the Wessberg arrangement. As such, claim 13 is not anticipated by and is patentable over the Wessberg patent as no adaptor is disclosed therein.

Claims 25-27 depend from and add further features to independent claim 13 and are patentable over the Wessberg patent for this reason alone. While it is not necessary to address the Examiner's rejections of these claims at this time, Applicants reserve the right to support their patentability, when necessary.

Other Matters

Applicants resubmit herewith the Information Disclosure Statement previously filed on June 2, 2005 for appropriate consideration. As required by 37 C.F.R. §1.97(c), Applicants include the fee under 37 C.F.R. §1.17(p) herewith.

Conclusion

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully
requested.

Respectfully submitted,

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